

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARTHA JANE JACOBS
ROUTE 1, BOX 18
HAINES, OREGON 97833

confirms the right to use the waters of ROCK CREEK, a tributary of POWDER RIVER, for IRRIGATING 16.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at Page 291. The date of priority is 1868.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.40 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

HUNSTOCK AND MEYERS DITCH - NE 1/4 SW 1/4, SECTION 34, T 7 S, R 38 E, W.M.; 2580 FEET NORTH AND 2600 FEET EAST FROM THE SW CORNER OF SECTION 34.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 NE 1/4 16.0 ACRES
SECTION 7
TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 28, 1991, and together with Certificate 66549, supersedes Certificate 4245, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed MARCH 27, 1996.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72217.